Zavala, Gilbert (for Petitioner Victor W. Siders)

(1) First and Final Accounting and Report of Status Administration and Petition
Thereof and (2) for Final Distribution

	VICTOR W. SIDERS, Administrator with Will	NEEDS/PROBLEMS/COMMENTS:
DOD: 8/5/2001	Annexed, is petitioner.	NEEDS/TROBLEMS/COMMENTS.
		Continued from 5/21/14.
	Account period: 3/21/03 - 12/8/13	, ,
Cont. from 041614,	=	As of 7/3/14 the following issues
052114		remain.
Aff.Sub.Wit.		Tomain.
Verified		Need Amended First and Final
Inventory	1	Account based on the following:
PTC	=	1
Not.Cred.	1	<ol> <li>Accounting does not comply with Probate Code § 1060 et seq.</li> </ol>
Notice of	1	Trobate Code grood er seq.
Hrg		2. Inventory and appraisal was not
Aff.Mail	7	signed by the probate referee
Aff.Pub.		and does not include any
Sp.Ntc.		property. Attached to the
Pers.Serv.		inventory and appraisal is a summary of account that does
Conf.	7	not comply with Probate Code
Screen		§1060.
Letters		
Duties/Supp		3. Need Notice of Hearing.
Objections		4. Need proof of service of the
Video		Notice of Hearing on Brian L. Fox
Receipt		pursuant to his Request for
CI Report		Special Notice filed on 3/10/03.
9202	_	
Order	_	
Aff. Posting	4	Reviewed by: KT
Status Rpt	_	Reviewed on: 7/3/14
UCCJEA	_	Updates:
Citation	_	Recommendation:
FTB Notice		File 1 – Siders

Coleman, William H. (for Executor Diane Winning – Petitioner)

- (1) First and Final Account and Report of Executor and Petition for Its Settlement, (2) for Allowance of Payment of Ordinary Executor and Attorneys' Fees and Costs,
- and (3) for Final Distribution

  DIANE M. WINNING, Daughter and
  Executor with Full IAEA with bond of

# DOD: 2-2-98 Aff.Sub.Wit. Verified Inventory PTC Not.Cred. Notice of Hrg Aff.Mail w Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen **Letters** 12-16-02 **Duties/Supp Objections** Video Receipt CI Report 9202 Order

Aff. Posting

Status Rpt

**UCCJEA** 

Citation

n/a

**FTB Notice** 

\$7,000.00, is Petitioner.

# Account period: 2-2-98 through 4-30-14

Accounting: \$59,080.81

Beginning POH: \$49,899.33

Ending POH: \$33,607.84

(\$30,607.84 cash plus real property valued at \$3,000.00)

Executor (Statutory): \$2,327.71

Executor (Reimburse): \$6,723.95 (per itemization in Exhibit E)

Attorney (Statutory): \$2,327.71

Costs: \$231.00

Closing:

Distribution pursuant to Decedent's will and based on the assets on hand and already distributed:

Diane Winning: \$19,811.80

Kent Brockway: \$0 Sheila Brockway: \$0

#### NEEDS/PROBLEMS/COMMENTS:

- Petitioner and her attorney are both requesting the entire amount of statutory compensation; however, there is no explanation for the delay in closing the estate. It does not appear to have been in the estate's best interest to delay administration, since there have been numerous expenses over the years, including bond premiums, bank service charges, taxes, insurance, etc., as noted in the disbursements schedule. Pursuant to Probate Code §12205, the Court may reduce the compensation.
- 2. The disbursements schedule includes numerous line items for "AD&D Ins" beginning in 2007. Need clarification: Why has the estate been paying for accidental death/ dismemberment insurance, and for whom?
- 3. The disbursements schedule includes numerous line items for "Federal Withholding Debit." Need clarification. Are there tax issues that the estate is aware of?
- Many of the expenses that Petitioner is requesting reimbursement for are listed in the disbursements schedule. Need clarification regarding the \$6,723.95 requested.
- Petitioner made various distributions of cash and assets without Court authorization. Need receipts for the cash and assets that they received from the estate from distributees Kent Brockway and Sheila Brockway.
- Need consents to distribution of the real property in undivided interests from Kent Brockway and Sheila Brockway pursuant to Local Rule 7.12.4,
- Based on the above, the Court may strike any language confirming and approving the acts of Petitioner during administration.

Reviewed by: skc

Reviewed on: 7-2-14

Updates:

**Recommendation:** 

File 2 - Brockway

3

Wright, Janet L (for Gerald H. Blum – Petitioner – Conservator)

(1) Petition for Approval of Eighth Account and Report and (2) for Allowance of Attorney's Fees

Ag	GERALD H. BLUM, Conservator, is Petitioner.			NEEDS/PROBLEMS/COMMENTS:		
			Account period: 0	1/01/201	2 -12/31/2013	
Со	nt. from		Accounting Beginning POH	- -	\$163,942.96 \$93,741.07	Note: If the petition is granted status hearings will be set as follows:
<b>√</b>	Aff.Sub.Wit. Verified		Ending POH Current Bond:	-	\$91,578.28 \$150,000.00	•Wednesday, 07/06/2016 at 9:00a.m. in Dept. 303 for
	PTC PTC		Conservator	-	waives	the filing of the ninth account.
✓	Not.Cred. Notice of Hrg	,	Attorney (document prepa Petitioner, and cou Accountant		\$4,513.75 view, meeting with arances) \$2,000.00	Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the
✓	Aff.Mail Aff.Pub.	w/	Costs	_	\$435.00 (filing fees)	matter the status hearing will come off calendar and no appearance
	Sp.Ntc.		000.0		Transfer (iming reces)	will be required.
	Pers.Serv.		Petitioner requests an order allowing Petitioner to			
	Conf. Screen		make bi-weekly po the approximate o	,		
	Letters		Petitioner prays for	an Orde	r:	
	Duties/Supp			_	and settling the	
	Objections		seventh ac		er to make bi-weekly	
	Video Receipt		payments	to the Co	onservatee in the nt of \$170.00;	
✓	CI Report				nt of the attorney's fees	
✓	2620(c)		, ,	the char	nge of brokerage firms	
✓	Order				Independent	
	Aff. Posting Financial Group and the continued engagement of Kenneth Hamada of the				Reviewed by: LV	
	Status Rpt				anagement Group as	<b>Reviewed on:</b> 07/03/2014
	manager of the Independent Financial				Updates:	
	Citation		Group acc		Recommendation:	
	FTB Notice					File 3 - Blum
1 1			Court Investigator	Dina Cal	/illo's report filed	
			09/12/2013.			2

Louise Ester Donny (Estate)
Renge, Lawson K. (for Hubert Donny – Co-Executor) **Status Hearing** 

DO	DD: 9-19-03	HUBERT DONNY, Co-Executor with Full	NEEDS/PROBLEMS/COMMENTS:
		IAEA without bond, filed his First and Final Report of Administration, and Petition for Final Settlement, and for Final Distribution, Accounting Waived,	Need revised order for signature pursuant to Minute Order 5-21-14.
	Aff.Sub.Wit.  Verified Inventory PTC Not.Cred. Notice of Hrg Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 9202 Order	Minute Order from hearing on 5-21-14 states: Mr. Renge informs the Court that distribution has already been made and creditors have been noticed. Regarding #2 on examiner notes, the Court will accept rather than ratify. Mr. Renge will file Supplement petition regarding how the proceeds were distributed and curing the other defects on examiner notes. Petition granted upon reviewing supplement petition. Status may come off hearing if supplement Cures all defects. Set on: 7/9/14 at 09:00a.m. in Dept 303 for: Status. Petition is granted. Order to be signed ex parte.	Note: There was a proposed order previously submitted for signature at the hearing on 5-21-14; however, it was not signed, and the minute order indicates that an order was to be signed ex parte. However, no new proposed order has been submitted for signature.  2. Need status of supplement pursuant to Minute Order 5-21-14.
	Aff. Posting		Reviewed by: skc
	Status Rpt		Reviewed on: 7-3-14
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 4 - Donny

Curtis Wingert (Estate)
Rube, Melvin K. (for Kevin J. Wingert – successor executor) Atty

Status

DOD: 04/17/03	ANNA WINGERT, spouse, was appointed	NEEDS/PROBLEMS/COMMENTS:
	as Executor on 12/13/05.	
	- Le A Final file d 11/00/07 \$7,000.00	<ol> <li>Need updated status report.</li> </ol>
	I & A, Final filed 11/09/06 - \$6,000.00	
Cont. from	Anna Wingert died on 12/14/06.	
Aff.Sub.Wit.		
Verified	KEVIN WINGERT, son, was appointed	
Inventory	successor executor without bond on	
PTC	05/21/14. Letters were issued on 05/21/14.	
Not.Cred.	00/21/14.	
Notice of	Minute Order from hearing on 05/21/14	
Hrg	set this matter status on 07/09/14.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt	<b>=</b>	
CI Report	<b>=</b>	
9202	_	
Order	_	
Aff. Posting	<b>-</b>	Reviewed by: JF
Status Rpt	$\dashv$	Reviewed on: 07/03/14
UCCJEA	$\dashv$	Updates:
Citation FTB Notice	$\dashv$	Recommendation:
LIR NOTICE		File 5 – Wingert

Emmy Klein (CONS/PE) Case No. 0602460
Kruthers, Heather H. (for Public Guardian)
Petition for Instructions and Authorization to Obtain a Reverse Mortgage Loan on Conservatee's Real Property

	PUBLIC GUARDIAN, Conservator, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:
Aff.Sub.Wit.	Petitioner states the Conservatee resides in her own home in Auberry, California. She has a long history of living in motels, board and care homes, and other facilities. Her home provides her with stability that she did not have previously.	COMMENTS.
Verified Inventory PTC Not.Cred. Votice of Hrg VAff.Mail	As of 5-1-14, the Conservatee had a balance of \$12,023 in her Public Guardian pooled trust account. Her monthly expenses exceed her income by a significant amount. In order for the Conservatee to remain in her home, she needs more income or an influx of cash. The only option is to obtain a reverse mortgage on the real property.	
Aff.Pub. Sp.Ntc. Pers.Serv. Conf.	Although the amount received will not be able to maintain the Conservatee at home for her life, Petitioner believes it will at least allow her to remain there for another 18 months.	
Screen  Letters  Duties/Supp  Objections  Video	The Public Guardian intends to obtain the reverse mortgage from Security Lending in Fresno and has been working with a home equity retirement specialist there, who provided the following information specific to the conservatee's real property:	
Receipt CI Report 9202 Order Aff. Posting	The value of the house is approx. \$80,000. The Conservator could access \$41,291.75 of the equity. Due to recent rule changes, \$22,891 would be paid out in the first 12 months. Then she could access the remaining \$18,400.	Reviewed by: skc
Status Rpt  UCCJEA  Citation  FTB Notice	There is an option to take a monthly amount for as long as she lives in the home, but that amount is only \$259.71, and she cannot afford to remain in the home with such a small amount supplementing her current income. Therefore, the Conservator will opt for the two lump sums.	Reviewed on: 7-3-14 Updates: Recommendation: File 6 – Klein
	As long as the Conservatee remains in her home, she will not have a mortgage payment. In addition, the reverse mortgage loan will not come due until she dies or is required to reside outside of her home for more than one year. The Public Guardian does not intend to move her from her home and does not foresee her requiring a lengthy stay in a hospital or other facility.	
	Petitioner prays that the Court find that it is in the Conservatee's best interest to remain living in her home; and the court authorize the Public Guardian to enter into a reverse mortgage transaction on behalf of the Conservatee to encumber the property as indicated above.	

Sukhjinder Ashat (Spousal)

Cowin, William L. (for Kamaljit K. Ashat – Surviving Spouse – Petitioner)

Spousal or Domestic Partner Property Petition

DOD: 12-21-05	KAMALJIT K. ASHAT, Surviving Spouse, is	NEEDS/PROBLEMS/COMMENTS:
	Petitioner.	
	Petitioner was appointed Administrator of the Estate of Sukhjinder Ashat on 2-10-09.	
Cont. from 042814,	·	
050814, 061814	Decedent died intestate	
Aff.Sub.Wit.		
Verified	Petitioner requests Court confirmation that Petitioner's 50% community property	
Inventory	interest in certain real property on	
PTC	Blackstone Ave., in Fresno belongs to her.	
Not.Cred.		
Notice of	Petitioner states she and the decedent	
Hrg	acquired the subject property with the	
Aff.Mail	earnings and accumulations from said	
Aff.Pub.	earnings during their marriage; therefore, the property constituted community	
Sp.Ntc.	property of the spouses. Title stands in the	
Pers.Serv.	decedent's name alone because he	
Conf.	purchased the property, with Petitioner's	
Screen	consent, while she was on vacation out of	
Letters	the country and was unavailable to sign	
Duties/Supp	purchase and loan documents. The	
Objections	property was reported on the joint income tax returns of the spouses as their	
Video	community property.	
Receipt	=	
CI Report	Declaration of attorney Cowan (not	
9202	verified by Petitioner) states Petitioner and	
Order	the decedent were married on 12-5-81	
Aff. Posting	and provides legal description of property.	Reviewed by: skc
Status Rpt	<u>_</u>	Reviewed on: 7-2-14
UCCJEA	4	Updates:
Citation	4	Recommendation:
FTB Notice		File 7A - Ashat

**7A** 

Cowin, William L. (for Kamaljit K. Ashat – Surviving Spouse – Petitioner)

(1) Waiver of Accounting and (2) Petition for Final Distribution and (3) for Allowance of Statutory Attorneys Fees

DO	D: 12-21-05		KAMALJIT K. ASHAT, Administrator with	NEEDS/PROBLEMS/COMMENTS:
			full IAEA without bond, is Petitioner.	Note: On 9-12-13, the Court imposed
			Accounting is waived.	sanctions of \$500 each to both Attorney Cowin and the
Со	nt. from 06181	4	I&A: \$65,000.00	Administrator, and also set an Order
	Aff.Sub.Wit.		POH: \$65,000.00 (real property interest)	to Show Cause for 10-17-13. On 10- 17-13, the OSC was dismissed, but
>	Verified			the Court did not address the
>	Inventory		Administrator (Statutory): Waived	sanctions that were imposed on 9- 12-13. Therefore, it appears the
~	PTC		Attorney (Statutory): \$2,600.00	sanctions remain due. Examiner
~	Not.Cred.		7.	Notes for hearing 5-8-14 noted that
~	Notice of		Distribution pursuant to intestate	the sanctions remain due; however, Judge Smith continued the matter for
_	Hrg Aff.Mail	w/o	succession:	Judge Oliver to hear.
Ě	Aff.Pub.	W/O	Kamajit K. Ashat – Real property interest	Declaration of William Cowan filed
	Sp.Ntc.		valued at \$65,000.00.	6-17-14 states he apologizes to the
	Pers.Serv.	<u> </u>		Court that he was very ill the morning
	Conf.			of 4-28-14. He appeared on 5-8-14. He again apologizes to the Court that
	Screen			he was not able to notify his office in
>	Letters			time to advise the Court that he
	Duties/Supp			could not appear. He respectfully requests that the Court not order
	Objections			sanctions against him.
	Video			
	Receipt	<u> </u>		
_	CI Report 9202			
<u> </u>	Order			
	Aff. Posting			Reviewed by: skc
	Status Rpt			Reviewed on: 7-2-14
	UCCJEA			Updates:
	Citation			Recommendation:
~	FTB Notice			File 7B - Ashat

The Christina Romar Beneficiary Trust Case Teixeira, J. Stanley (for The Good Shepherd Fund – Trustee/Petitioner)

Second Account and Report of Trustee of Christine Romar Beneficiary Trust; Petition to Settle Account; and to Fix & Allow Trustee and Attorney Fees

Ве	Beneficiary Age: 15		GOOD SHEPHERD FUND, trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
			Account period: <b>05/01/11 - 04/30/13</b>	At the last accounting, it appeared that the beneficiary was a client of
Со	nt. from Aff.Sub.Wit.		Accounting - \$72,885.82 Beginning POH - \$66,961.53 Ending POH - \$67,078.18	CVRC. Therefore, need proof of service at least 15 days before the hearing of <i>Notice</i>
✓	Verified		Ending POH - <b>\$67,078.18</b>	of Hearing.
	Inventory PTC		Trustee - <b>\$2,656.25</b> (per itemization and declaration for 21.25 hours	2. Need Order.
<b>✓</b>	Not.Cred.		@ \$125/hr.)	Note: A status hearing will be set as
	Hrg		Attorney - \$1,095.00 (per	follows:  • Wednesday, 06/22/16 at 9:00
	Aff.Mail Aff.Pub.	w/	itemization for 2.4 hours @ \$275/hr. and costs of \$435 for filing fees)	am in Dept. 303 for filing of the 3 <sup>rd</sup> Account
	Sp.Ntc.		,	3" ACCOOM
	Pers.Serv.		Petitioner prays for an Order:	
	Conf.		Approving, allowing and settling the	
	Screen		second account;	
	Letters		<ul><li>2. Authorizing the trustee fees; and</li><li>3. Authorizing the attorney fees and costs</li></ul>	
	Duties/Supp		reimbursement.	
	Objections		TOTAL DESCRIPTION.	
	Video			
<b>—</b>	Receipt			
	CI Report			
ľ	2620(c)	.,		
<b> </b>	Order Aff. Posting	Х		Reviewed by: JF
	Status Rpt			Reviewed by: 31  Reviewed on: 07/03/14
	UCCJEA			Updates:
	Citation			Recommendation:
	FTB Notice			File 8 - Romar
				•

# 9 Glenn Douglas Wagner (Estate)

Case No. 11CEPR00517

Atty

Wright, Janet L. (for Co-Administrators Lesley Wagner and Meagan Wagner)

- (1) Co-Administrator's Petition for Approval of First and Final Account and Report;
- (2) for Approval of Payment of Statutory and Extraordinary Fees to

Co-Administrators and Reimbursement of Costs Advanced; (3) for Approval of Payment of Statutory and Extraordinary Attorney's Fees; and (4) for Final Distribution

DOD: 1-23-11		LESLEY WAGNER and MEAGAN WAGNER, Co-Administrators with Full IAEA without bond, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:	
		Account period: 7-27-11 through 5-28-14		
Aff.Sub.Wit.  Verified  Inventory  PTC		Accounting: \$220,261.20 Beginning POH: \$210,000.00 Ending POH: \$147,962.90 (cash)  Co-Administrators (Statutory): \$7,405.22		
> >	Notice of Hrg  Aff.Mail W  Aff.Pub.	(To be split \$3,702.61 each)  Co-Administrators (Extraordinary): \$1,000.00 (Per Local Rule 7.18.B.2., for the sale of the real property, to be split \$500.00 each)		
	Sp.Ntc. Pers.Serv.	Attorney (Statutory): \$7,405.22		
>	Conf. Screen 7-27-11	Attorney (Extraordinary): \$1,000.00 (Per declaration, \$500.00 for legal services in connection with the sale of the		
	Objections Video Receipt	residence, \$500.00 estate banking matters)  Costs: \$435.00 (advanced by the attorney for the filing of this petition)		
CI Report  9202  Order  Aff. Posting		Reimburse Co-Administrators per itemization set forth in petition for expenses of administration: Lesley Wagner: \$9,603.75	Reviewed by: skc	
<b>\</b>	Status Rpt UCCJEA Citation FTB Notice	Meagan Wagner: \$1,522.00  Closing: \$3,000.00	Reviewed on: 7-3-14 Updates: Recommendation: File 9 – Wagner	
	Distribution pursuant to intestate succession and Assignment of Interest: Virginia Wagner: \$15,000.00 Lesley Wagner: \$37,834.74 Meagan Wagner: \$37,834.74 Melissa Wagner: \$25,922.23			

Petty, Teresa B. (for Ernest Ong – Administrator – Petitioner)

(1) First and Final Account and Report of Administrator and Petition for Settlement Thereof and (2) for Allowance of Administrator's Compensation for Ordinary Services and (3) for Allowance of Attorney Fees for Ordinary Services and for Extra-Ordinary Services and for (4) Final Distribution

		Extra-Ordinary Services and for (4) Final Distrib	n
DO	D: 8-28-11	ERNEST ONG, Administrator with Full IAEA	NEEDS/PROBLEMS/COMMENTS:
		without bond, is Petitioner.	Continued from 3-24-14, 4-14-14,
		Account period:	5-14-14
		8-28-11 through 1-10-14	<del>- 17 17</del>
	nt. from 032414,	0 20 · · · · · · · · · · · · · · · · · ·	
041	414, 051414	Accounting: \$ 453,213.84	
	Aff.Sub.Wit.	Beginning POH: \$ 336,683.52	SEE ADDITIONAL PAGES
<b>~</b>	Verified	Ending POH: \$ 71,844.33 (cash)	
<b>&gt;</b>	Inventory	A algoritation to a (Charteston N. \$10.050.07	
<b>&gt;</b>	PTC	Administrator (Statutory): \$10,858.27 (See NEEDS/PROBLEMS/COMMENTS.)	
~	Not.Cred.	1 (366 NEEDS) I KODEENIS CON INIENIS.	
~	Notice of	Attorney (Statutory): \$10,858.27	
	Hrg	(See NEEDS/PROBLEMS/COMMENTS.)	
~	Aff.Mail W		
	Aff.Pub.	Attorney (Extraordinary): \$4,520.00	
	Sp.Ntc.	(for work in connection with the sale of the real property, including avoiding	
	Pers.Serv.	foreclosure and preparation of the various	
	Conf.	agreements, consents and negotiations	
	Screen	with the beneficiaries, unusual	
	Letters	circumstances requiring negotiations with	
	Duties/Supp	creditors and beneficiaries, establishing an	
	Objections	ancillary probate for out of state property.  Work also included resolving another estate	
	Video	administration in Stanislaus County for	
	Receipt	which this decedent was the administrator.	
	CI Report	Extraordinary services total \$6,370.00 for 11	
~	9202	attorney hours @ \$200/hr and 40.5	
<b>&gt;</b>	Order	paralegal hours @ \$100/hr. Attorney will	
	Aff. Posting	accept the reduced amount of \$4,520.00.	Reviewed by: skc
	Status Rpt	Closing: \$500.00	Reviewed on: 7-2-14
	UCCJEA		Updates:
	Citation	Distribution pursuant to intestate	Recommendation:
🗸	FTB Notice	succession, Agreement Among	File 10 – Gong-Chun
		Beneficiaries, and various disclaimers:	
		Aulaura (One) (\$15,025,05	
		Arlene Ong: \$15,035.95	
		Kathleen Ruiz: \$15,035.95 Christofer Gong-Chun: \$15,035.95	
		Chilistole: Cong-Chon. \$13,033.73	
╽┖──┤			11

#### Case No. 12CEPR00035

#### **NEEDS/PROBLEMS/COMMENTS:**

1. Petitioner states that pursuant to the Agreement Among Beneficiaries, Michael Gong-Chun was allowed to purchase the residence at a reduced price, taking into consideration payments made to the mortgage company and rent paid to the estate <u>as his share</u> of the estate. However, he then signed a <u>Disclaimer of Interest</u> in the estate. A <u>disclaimer</u> is irrevocable per Probate Code §281 and results in distribution as if the disclaimant had predeceased the decedent. Petitioner assumes the beneficiaries are now the three remaining siblings pursuant to the Agreement; however, it appears that Michael Gong-Chun's issue are now entitled to his share of the remainder of estate. The Court may require authority for omitting Michael Gong-Chun's issue from distribution of the remainder of the estate with reference to the Disclaimer.

<u>Update</u>: On 6-24-14, Petitioner filed Assignments of Interest from Allan Matthew Gong Chun, Michael Jonathan Gong Chun, and Sherri Elizabeth Gong Chun, children of Michael Gong Chun, that assigned their interests back to the estate.

<u>Examiner's Note</u>: It appears that these assignments provide a solution to the issue created by Michael's disclaimer. However, rather than clear the note, I will leave it to the Court's discretion. <u>However, the</u> following remaining issues do not appear to have been addressed:

- 2. The agreement and attached lease indicate that Michael Gong-Chun was paying rent; however the Receipts Schedule does not indicate rent received by the estate. Need clarification. Who was the rent paid to? The Disbursements Schedule indicates that the estate was paying for household expenses such as AT&T and mortgage payments after the death of the decedent, when it appears the house was occupied by Michael Gong-Chun. Need clarification.
- 3. The accounting does not appear to be prepared correctly. The Receipts Schedule includes items that are not "receipts" pursuant to Probate Code § 1061(a) (3). For example:
  - The estate obtained a \$10,000.00 loan from Jong Chun, to pay off the auto loan before selling the vehicle (which loan was not authorized by the Court pursuant to Probate Code §9800 et seq.). That \$10,000.00 was repaid with interest and is not a "receipt" for purposes of calculating compensation.
  - Similarly, Disbursements Schedule indicates \$56.04 was paid to California Baptist Foundation for "Court in Hawaii (Estate Admin.)" Receipts Schedule indicates this same amount was received as reimbursement on 1-10-14. If this was a loan, this amount is also not a "receipt" for compensation purposes.
  - The vehicle, originally valued at \$25,000.00, was then sold for \$28,000.00, resulting in a \$3,000.00 gain from the original I&A value. However, in addition to the \$3,000.00 gain, Petitioner included the \$25,000.00 balance as a "receipt." This is not correct. The \$25,000.00 is already included in as an asset on the I&A. That value does not get counted twice in calculating the statutory fee.
  - A brokerage account valued at \$8,062.38 is Item No. 2 on I&A Partial No. 2 filed 8-30-12. The transfer of those same funds to another estate account does not constitute a "receipt" because that amount is already included as an asset on the I&A. (Note: Gains Schedule indicates a gain of \$854.60 as accumulated income on this account. However, Petitioner does not state whether the asset changed form (i.e., assets held in the brokerage account sold or liquidated to cash), which would be a gain, or whether cash was simply transferred to another account with interest received, which may just be a receipt. Similar to the vehicle issue, though, the \$8,062.38 does not get counted twice.

By incorrectly categorizing these items as "receipts," the statutory compensation is incorrectly inflated.

Therefore, need amended accounting, including amended calculation of statutory fees and amended final distribution.

4. Need clarification regarding extraordinary fees requested in connection with the Ancillary Probate. The work performed appears to be typical probate work (research, forms, communications, etc.) that would be statutory within that probate matter and should be requested in that matter.

Erlach, Mara M. (for Katrina Best Kendall – Administrator/Petitioner)

(1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Statutory Commissions and Attorneys' Fees; and (3) for Final Distribution

DOD: 08/30/12			KATRINA BEST KEND	<b>ALL</b> , Ad	dministrator, is	NEEDS/PROBLEMS/COMMENTS:
			Petitioner.			
			Account period: <b>12</b>	/12/12	- 04/10/12	Schedule D     (Disbursements) lists 4     disbursements to
Со	nt. from		Accounting		\$70.050.00	McCormick Barstow, LLP
	Aff.Sub.Wit.		Accounting Beginning POH	-	\$78,258.22 \$61,251.00	totaling \$2,132.35. There is
✓	Verified		Ending POH	_	\$25,328.18 (all cash)	no explanation for these fees paid and no request
	Inventory				φ= <b>0,0=0,10</b> (σ σ.σ.σ.,	for extraordinary attorney's
	PTC		Administrator	-	<b>\$3,130.33</b> (statutory)	fees has been made. The
	Not.Cred.					Court may require more
✓	Notice of		Attorney	-	<b>\$3,130.33</b> (statutory)	information concerning
L	Hrg				** ***	these fees.
<b>✓</b>	Aff.Mail	w/	Reserve	-	\$3,000.00	2. Need Order. Note: the
	Aff.Pub.		Distribution nursus	nt to ind	lastata succession is	Order must state the dollar
	Sp.Ntc.		to:	11 10 1111	testate succession, is	amount to be distributed
	Pers.Serv.		10.			to each heir (Local Rule
	Conf.		Katrina Best Kendal	l -	1/3	7.6.1)
	Screen 12/06/	/10	Yvette Best	_	1/3	
	2011013	/ 1 Z	Kaitlyn M. Best	-	1/6	
	Duties/Supp Objections		Conrad J. Best		•	
	Video		Gannon A. Best	-	1/6	
	Receipt					
	CI Report					
<b>√</b>	9202					
		Χ				
	Aff. Posting					Reviewed by: JF
	Status Rpt					<b>Reviewed on:</b> 07/03/14
	UCCJEA					Updates:
	Citation					Recommendation:
✓	FTB Notice					File 11 – Best
						11

Bagdasarian, Gary G. (for Executor Tanya Goodson)

(1) Waiver of Accounting and Report of Executor, (2) Petition for Settlement Thereof for (3) Allowance of Statutory Attorney's Fees, for Extraordinary Attorney's Fees, for Costs Reimbursement and (4) Final Distribution

DOD	: 6-8-13	TANYA GOODSON, Daughter and Executor with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner is the sole heir and waives accounting.	
· · · · · · · · · · · · · · · · · · ·	Aff.Sub.Wit.  Verified  Inventory  PTC	I&A: \$82,500.00 POH: \$82,500.00 consisting of a 50% interest in real property plus a vehicle and misc. personal property	
N/A	Notice of Hrg	Executor (Statutory): Waived  Attorney (Statutory): \$3,300.00	
	Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv.	Attorney (Extraordinary): \$750.00  (for 3 hours @ \$250/hr for legal services in connection with resolving a tax deficiency)	
Conf. Screen  Letters Duties/Supp		Costs: \$1,697.00 (Probate Referee, Accounting, Filing, Publication, Certified copies, Recording, and a private investigator to locate a relative for notice)	
	Objections Video Receipt CI Report	Distribution pursuant to the decedent's will:  Tanya Goodson: Entire estate, valued at	
<b>✓</b>	9202 Order Aff. Posting	\$82,500.00, consisting of a 50% interest in real property plus a vehicle and misc. personal property	Reviewed by: skc
<b>~</b>	Status Rpt UCCJEA Citation FTB Notice		Reviewed on: 7-3-14 Updates: Recommendation: File 12 – Goodson

Atty Lawrence, Anne (Pro Per Beneficiary and Co-Trustee – Petitioner)

Atty Burnside, Leigh W. (for Pamelyn S. Gingold – Co-Trustee – Objector)

Petition of Beneficiary and Co-Trustee to Remove Co-Trustee of the Trust and for the Payment of Attorney Fees

			ille i dyffielli of Alloffiey fees	
DO	D: 1-28-10		ANNE LAWRNECE, Daughter, Beneficiary	NEED
			and Co-Trustee, is Petitioner.	Cont
			Delition or we are also the County was a con-	4-24-
			Petitioner requests the Court remove PAMELYN SHARLEY GINGOLD, Co-Trustee,	
1 1	nt. from 121213	3,	under Probate Code §15642 based on her	
	314, 042414, 2814		breach of fiduciary duties as follows:	Co-Ti Page
	Aff.Sub.Wit.		•	ruge
_	Verified		Petitioner is a resident of Dove Creek,	<u>Note</u>
	Inventory		Colorado, and consequently contacted	Bago
	PTC		Ms. Gingold to commence trust administration after the death of the	Petiti
	Not.Cred.		Trustor. Since February 2010, Ms. Gingold	Statu
~	Notice of		has failed to:	Burns
	Hrg		<ul> <li>Supply a death certificate to Petitioner;</li> </ul>	the for
>	Aff.Mail	W		circu
	Aff.Pub.		Supply Notification by Trustee to	Lawr
	Sp.Ntc.		beneficiaries pursuant to Probate Code	rega
	Pers.Serv.		§16061.7;	three
	Conf.		Supply notice to Director of Health	incluthe C
	Screen		Care Services pursuant to Probate	to co
-	Letters /Sware		Code §19202;	Ms. L
	Duties/Supp Objections		Deposit the original Last Will and	Lawr
Ì	Video		Testament of the Decedent pursuant to	acco
	Receipt		Probate Code §8200;	acco
	CI Report		Record an Affidavit – Death of Settlor	enco
	9202		(Trustor), Trustee and Beneficiary and	list of
~	Order		Certification of Trust changing title to	obje An e
			the Successor Co-Trustees, as a result of the death of the Trustor in connection	to. A
			with the vesting of title in real property;	the is
				cond
			Supply a Change in Ownership     Statement Death of Real Property	with there
			Statement – Death of Real Property Owner to the Fresno County Assessor	be c
	Aff. Posting		and a Claim for Reassessment Exclusion	Revie
	Status Rpt		for Transfer Between Parent and Child,	Revie
	UCCJEA		potentially jeopardizing the ability to	Updo
	Citation		have any reassessment of the real	Reco
	FTB Notice		property excluded and potentially	File 1
			causing an increase in real property	
			taxes;	
			<u>SEE ADDITIONAL PAGES</u>	

NEEDS/PROBLEMS/COMMENTS:

Cont'd from 12-12-13, 2-13-14, 4-24-14, 5-28-14

Note: Accounting filed 4-9-14 by Co-Trustee Pamelyn Sharley Gingold is Page B.

Note: Per Substitution filed 5-28-14, Mr. Bagdasarian no longer represents Petitioner Anne Lawrence.

us Report filed 7-3-14 by Attorney side states as soon as she received full details of the parties' ement, she prepared and ulated a draft agreement. Ms. rence had several questions arding the accounts set up for her e children. All accounts were ided in the accounting filed with Court. Ms. Gingold is endeavoring ollected paperwork requested by awrence and adding Ms. rence as co-trustee onto the ounts. Ms. Lawrence stated she felt all of the cash had been ounted for, and Ms. Burnside ouraged her to send a complete f questions or consider filing an ection to the accounting (Page B). mail was received and responded At this time, Ms. Burnside believes ssues have been resolved cerning the real property, but not respect to the accountings. It is efore requested that both matters continued for further proceedings.

Reviewed by: skc

Reviewed on: 7-2-14

Updates:

Recommendation:

File 13A – Calnek

## Page 2

#### Petitioner states Ms. Gingold has failed to (Continued):

- Inventory and appraise any of the assets;
- Maintain the real property located at 5887 W. San Gabriel in Fresno;
- Provide any accounting, including all bank statements, receipts, and disbursement pursuant to Probate Code §17200(b)(7)(B) and §§ 16062 and 16063;
- Petitioner alleges that Ms. Gingold has lived in the property without payment of rent, has used trust assets to pay for utilities, cable, and other items for her sole personal use;
- Ms. Gingold has failed to assemble personal property, which is depreciating in value, in order to auction or sell, or provide notice to beneficiaries as to whether said personal property should be distributed;
- Ms. Gingold has failed to provide any information re life insurance policies, final expense bills, or other related financial information;
- Ms. Gingold has failed to file the appropriate income tax returns, estate tax returns, and other tax reporting requirements for the trust on a timely basis; and
- Ms. Gingold has exhibit hostility and impairing the administration of the trust, which is reflected as grounds for removal pursuant to Probate Code §15642(b)(3).

#### Additional information:

- The Trustor of the **EMELIA C. CALNEK TRUST** was also known as **EMELIA CHARLOTTE JENNRICH** (see death certificate).
- The real property asset of the estate located at 5887 W. San Gabriel in Fresno refers to "EMILIA C. CALNEK JENNRICH, Trustee of the EMILIA C. CALNEK TRUST" (see Grant Deed).
- The **Sixth (6<sup>th</sup>) Amendment**, attached as Exhibit C, dated 6-28-07 nominates Petitioner and Ms. Gingold as Co-Trustees. A letter from Attorney Steve H. Murphy dated 6-8-10 confirms.
- There are eight (8) beneficiaries. Petitioner lists names, but not relationships.
- Declaration of No Service filed 11-25-13 indicates that a process server made numerous attempts to serve Ms. Gingold at the San Gabriel address; however, no one answers the door. Declaration filed 12-10-13 indicates additional attempts to serve Ms. Gingold at two other addresses in Mariposa, CA.

#### Petitioner requests that:

- The Court remove the Successor Co-Trustee PAMELYN SHARLEY GINGOLD from office and appoint ANNE LAWRENCE as the sole Successor Trustee of the EMELIA C. CALNEK TRUST dated December 19, 1995;
- 2. The Court order PAMELYN SHARLEY GINGOLD to provide a full accounting from the date of death of the decedent of 1-28-10 to the date of her removal;
- 3. The Court order Attorney's fees of the Petitioner to be paid in an amount to be determined;
- 4. The Court make all further and proper orders.

**SEE ADDITIONAL PAGES** 

Dept. 303, 9:00 a.m. Wednesday, July 9, 2014

## Page 3

**Objection filed 12-9-13 by Co-Trustee Pamelyn S. Ginsold** admits certain facts as stated above regarding the name of the Trustor, the real property as an asset of the trust, and the nomination of Petitioner and Objector as co-trustees; however, Objector denies the allegations of Petitioner in Paragraph 6 and all subparagraphs, except as follows:

Ms. Gingold denies residing at the San Gabriel property, and denies that Jeremiah Gingold and Serena Katherine Gingold have ever resided there. Petitioner knew they do nto reside there, yet served documents at that address to avoid providing actual notice of these proceedings to Ms. Gingold, Jeremiah, and Serena Gingold. Additionally, Ms. Gingold is informed and believes and thereon alleges that the decedent's surviving spouse, **EDWARD W. JENNRICH**, is entitled to notice of these proceedings as he may have a beneficial interest in the San Gabriel property under the terms of the Sixth Amendment.

**Ms. Gingold states:** She and Petitioner are the daughters of the decedent. Decedent was survived by her spouse, Edward W. Jennrich, whom Ms. Gingold is informed, believes, and thereon alleges now resides in Pasadena California, by her two daughters, Ms. Gingold and Petitioner, her son Peter J. Deyell, and five grandchildren. All of these individuals are named beneficiaries under the Sixth Amendment.

Decedent was also survived by a son, David A. R. Deyell, but he is not a beneficiary under the Sixth Amendment. He also appears to be disinherited under the terms of Decedent's will dated 3-16-00 (attached).

Following Decedent's death in Jan 2010, Ms. Gingold and Petitioner gathered Decedent's estate planning documents and Petitioner took them to her home in Colorado. Petitioner therefore had the 1995 Trust instrument and all amendments thereto in her possession. Ms. Gingold thus denies Petitioner's allegation that she withheld copies from Petitioner or any other beneficiary.

Ms. Gingold states neither she nor Petitioner retained legal counsel to advise them regarding administration of the trust. Ms. Gingold understood that as a co-trustee, she was to maintain the San Gabriel residence and pay expenses related to the maintenance and assets of the trust, and has done so. The decedent's final expenses were paid as well as ongoing expenses related to the real property. Ms. Gingold has supervised the upkeep of the property, maintained a trust checking account with Petitioner as co-trustees, which Petitioner has access to, and has made distributions to beneficiaries according to the Sixth Amendment. She prepared an inventory of the contents of the house and obtained appraisal of the contents and discussed with Petitioner. Petitioner at all times consented to Ms. Gingold's handling the responsibilities and never voiced any objection or disagreement. Rather, Petitioner expressed her preference that Ms. Gingold undertake these responsibilities, as she resides in Colorado, and Ms. Gingold, a resident of Mariposa, was better situated to handle administration of Fresno assets.

#### **SEE ADDITIONAL PAGES**

## Page 4

## **Objector states (Continued):**

To the extent that any administrative tasks went undone, Ms. Gingold was unaware of such tasks. She was not represented by counsel. Petitioner, on the other hand, was employed as a paralegal for a law firm and is now a clerk of the Dolores County Court in Colorado. Petitioner represented that she would determine and inform Ms. Gingold of any and all tasks of a legal nature reugried for administration. Aside from the responsibilities that Ms. Gingold has undertaken (bill pay, etc.), Petitioner never identified any tasks for her to complete.

Ms. Gingold submits that Petitioner had an equal responsibility to complete the administrative tasks, and to the extent there is any fault on the part of Ms. Gingold, which she denies, Petitioner is equally at fault. Petitioner has not set forth sufficient grounds to justify Ms. Gingold's removal, an order compelling her to account, or an award of attorney's fees.

Objector requests that the Court deny each and every claim for relief in the Petition; award Objector her costs incurred in this matter; and order any and all further relief the Court deems just and proper.

**Status Report filed 2-5-14 by Attorney Burnside (for Objector)** provides details of the dispute including communications, distributions, and account access, and states the balance <u>presently remaining</u> in the trust checking account is approx. \$15,000.00, and the remaining property on hand includes the San Gabriel St. residence, the funds in the checking account, and the various personal property items in the home.

**Status Report filed 2-10-14 by Attorney Bagdasarian (for Petitioner)** states Gingold has failed to provide accounting or any information concerning the distribution of \$114,000 or for whose benefit, leading to the conclusion that the funds have been misappropriated. The real property has been allowed to deteriorate due to Gingold's failure to arrange maintenance; thereby resulting in a loss to the trust estate. Based on the lack of cooperation in providing an accounting or information concerning distributions, Petitioner again requests that Gingold be removed as co-trustee and all assets be turned over to Petitioner in order to complete the trust administration.

Supplemental Status Report filed 2-11-14 by Attorney Burnside (for Objector) provides additional details of distributions and the approximate balance in each beneficiary's account. Ms. Gingold disputes that the property has deteriorated and caused loss to the estate, and further asserts that Ms. Lawrence has made no effort to assist with maintenance. Trust administration is presently moving forward, and Ms. Gingold is consulting with another real estate agent for listing the property. Attorney Burnside is waiting to hear from Mr. Bagdasarian re his client's wish for disposition of the personal property remaining on hand – can it be sold via estate sale or distributed to beneficiaries or disposed of in some other manner?

<u>Note</u>: Notice of Settlement filed 5-20-14 indicates that the parties have reached a settlement regarding this petition.

However, no settlement agreement or request for dismissal has been filed; therefore, the petition is still pending. Also, the account filed 4-9-14 at Page B is also pending.

13B

Atty

Case No. 13CEPR00946

Petition for Settlement of First Account of the Emelia C. Calnek Trust and the Three Minors Accounts by Co-Trustee, Pamelyn Sharley Gingold

DO	D: 1-29-10	PAMELYN S. GINGOLD, Co-Trustee, is Petitioner.	NEEDS/PROBLEMS/
		Trust Acct period: 1-28-10 through 3-18-14	COMMENTS:
		Accounting: \$527,907.76	
		Beginning POH: \$524,406.64	
Co	nt. from 052814	Ending POH: \$154,656.11	
	Aff.Sub.Wit.	(\$14,656.11 cash plus real property)	
_	Verified	Minors' Acct Period: 4-26-11 through 2-11-14	
l		Sophia Maureen Lawrence:	
	Inventory	Accounting: \$36,239.93	
	PTC	Beginning POH: \$0.00 Ending POH: \$36,239.93	
l	Not.Cred.	<u></u>	
~	Notice of	<u>Jeremy Michael Lawrence</u> : Accounting: \$36,180.23	
	Hrg	Beginning POH: \$0.00	
<u> </u>	Aff.Mail	Ending POH: \$35,180.23	
	Aff.Pub.	Sarah Lawrence:	
	Sp.Ntc.	Accounting: \$36,180.24	
	Pers.Serv.	Beginning POH: \$0.00	
	Conf.	Ending POH: \$35,180.24	
-	Screen	Petitioner is waiving compensation to her as co-	
-	Letters	trustee for this account period. Petitioner states	
	Duties/Supp	\$5,000.00 was paid to her attorneys Dowling Aaron	
	Objections	Incorporated.	
	Video	Distributions were made in the allocations specified	
-	Receipt	under the paragraph entitled "Allocation of Trust	
	CI Report	Assets" as set forth in the 6th Amendment to the Trust,	
	9202	except for the additional distribution to Peter Deyell, which was discussed with Co-Trustee Anne Lawrence.	
~	Order	The Co-Trustees agreed that distributions to the	
	Aff. Posting	remaining beneficiaries would be done at a later	Reviewed by: skc
	Status Rpt	date to have enough money to ready the house for	Reviewed on: 7-2-14
	UCCJEA	sale.	Updates:
<u> </u>	Citation	Petitioner states that Peter Deyell was listed on the	Recommendation:
	FTB Notice	Bank of the West account as a co-trustee with Pamelyn Gingold based upon ha change that Emelia Calnek was going to make to the trust after the 6 <sup>th</sup> amendment. However, no further amendments were found. After Emelia's death, Peter communicated to Bank of the West that he was not a co-trustee and wrote a letter to the bank resigning.  Petitioner prays for order and judgment as follows:	File 13B - Calneck
		<ol> <li>Settling and allowing the trust account and minors' accounts as filed;</li> <li>Ratifying, confirming and approving all acts and transactions of Petitioner as Co-Trustee;</li> <li>Ratifying and approving the attorney's fees already paid as set forth above.</li> </ol>	

Atty Helon, Marvin T (for Randall D. Coolidge and Tracie Coolidge-Fierro – Petitioners)

Atty Janisse, Ryan M. (for Dianne E. Coolidge – Objector)

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

	10430)					
DOD: 02/18/2014	RANDALL D. COOLIDGE and TRACIE	NEEDS/PROBLEMS/COMMENTS:				
	<b>COOLIDGE-FIERRO</b> , children, are petitioners					
	and request appointment as Administrator	14B is the competing petition filed by				
	without bond.	Dianne E. Coolidge, Surviving Spouse.				
Cont from 050014						
Cont. from 052914	Petitioners waive bond					
Aff.Sub.Wit.						
√ Verified	Limited Authority – o.k.					
Inventory	Residence: Fresno					
PTC	Publication: The Business Journal	Note: If the petition is granted status				
Not.Cred.		hearings will be set as follows:				
✓ Notice of	Estimated value of the Estate:	• Wodporday, 12/10/2014 at				
Hrg	Personal property - \$15,000.00	• Wednesday, 12/10/2014 at				
✓ Aff.Mail W/	Real property - \$660,000.00	9:00a.m. in Dept. 303 for the filing				
•	Total: - \$675,000.00	of the inventory and appraisal				
Aff.Pub.	, , , , , , , , , , , , , , , , , , , ,	<u>and</u>				
Sp.Ntc.	Probate Referee: Steven Diebert	<ul> <li>Wednesday, 09/09/2015 at</li> </ul>				
Pers.Serv.	Tresdie Neiereererere Zieser	9:00a.m. in Dept. 303 for the filing				
Conf.	Petitioners state that they are the children	of the first account and final				
Screen	of the decedent and entitled to priority for	distribution.				
✓ Letters	appointment as administrators under	distribution.				
	Probate Code §8461(b). Decedent and	Pursuant to Local Rule 7.5 if the required				
U√ Duties/Supp	Diane E. Coolidge had held themselves as	documents are filed 10 days prior to the				
Objections		hearings on the matter the status hearing				
Video	husband and wife, however petitioners	will come off calendar and no				
	believe they may not have been legally	appearance will be required.				
Receipt	married. Even if Dianne E. Coolidge is					
CI Report	found to be a surviving spouse, she has					
9202	failed to timely petition for her appointment					
√ Order	as personal representative and pursuant to					
Aff. Posting	Probate Code §8468 the Court can and should now appoint petitioners as	Reviewed by: LV				
Status Rpt	administrators.	<b>Reviewed on:</b> 07/02/2014				
UCCJEA	- Garriii iisii GlOis.	Updates:				
Citation	Please see additional page	Recommendation:				
FTB Notice	<u>i ieuse see uuuiiiotiui puge</u>	File 14A - Coolidge				
		144				

14A

## 14A (additional page) Douglas E. Coolidge (Estate)

Case No. 14CEPR00352

Opposition to Petition of Randall D. Coolidge and Tracie Coolidge-Fierro for Letters of Administration filed by Attorney Ryan M. Janisse on 05/23/2014 states that the decedent and Dianne E. Coolidge were married in the County of Mohave, State of Arizona, on 11/12/1993. They remained married until decedent's death on 02/18/2014. Decedent died in a tragic fire which consumed the Coolidge residence. The undisputed evidence before this Court is that Mrs. Coolidge is the surviving spouse of the decedent. Concurrently with the filing of this Opposition, Mrs. Coolidge has filed a competing Petition for Letters of Administration seeking her appointment as administrator.

The petitioners Randall D. Coolidge and Tracie Coolidge-Fierro are the decedent's estranged children. In their Petition, Randall and Tracie assert that Mrs. Coolidge is an "alleged spouse" and that decedent and she were never married. This is false.

Probate Code §8461 sets for the order of priority for appointment of an administrator of the state of a decedent as follows: "(a) Surviving Spouse...(b) Children...."

Because Mrs. Coolidge is the surviving spouse she is assigned priority to (a). Petitioners, as the decedent's children, are assigned to (b). Accordingly, the Petition for Letters of Administration filed by Mrs. Coolidge must be granted and the competing petition filed by Randall and Tracie must be Denied.

Therefore, Dianne E. Coolidge respectfully requests that this Court grant her Petition for Letters of Administration and deny the Petition for Letters of Administration filed by Randall and Tracie.

Declaration of Dianne E. Coolidge in Support of Opposition to Petition of Randall D. Coolidge and Tracie Coolidge-Fierro for Letter of Administration filed 05/23/2014 states she is the surviving spouse, on 11/12/1993, she and Doug married in the Mohave County, Arizona. A true and correct copy of Mohave County Clerk of Superior Court Certified Abstract of Marriage is attached. Decedent and Dianne remained married until the time of his death.

Helon, Marvin T (for Randall D. Coolidge and Tracie Coolidge-Fierro – Competing Petitioners) Atty Atty

Janisse, Ryan Michael (for Dianne E. Coolidge – Petitioner – Surviving Spouse)

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DC	D: 02/18/2014		DIANNE E. COOLIDGE, SURVIVIR	•	NEEDS/PROBLEMS/COMMENTS:
			petitioner and requests appo Administrator with bond.	iniment as	1. #3d(2) of the petition does not
			Administrator with borid.		include the amount of bond
			Full IAEA — o.k.		requested. Based on the
Co	nt. from				estimated value of the Estate
	Aff.Sub.Wit.		Residence: Fresno		bond should be set at
✓	Verified		Publication: The Business Jour	nal	\$597,000.00.
	Inventory		Estimated value of the Estate:		
	PTC		Personal property -	\$27,000.00	
	Not.Cred.		Real property -	\$570,000.00	
1	Notice of		Total: -	\$597,000.00	
	Hrg			4/	
✓	Aff.Mail	w/	Probate Referee: Steven Diek	pert	Note: If the petition is granted status
✓	Aff.Pub.				hearings will be set as follows:
	Sp.Ntc.				<ul> <li>Wednesday, 12/10/2014 at</li> </ul>
	Pers.Serv.				9:00a.m. in Dept. 303 for the filing
	Conf.				of the inventory and appraisal
	Screen				<u>and</u>
✓	Letters				<ul> <li>Wednesday, 09/09/2015 at</li> </ul>
1	Duties/Supp				9:00a.m. in Dept. 303 for the filing
-	Objections				of the first account and final
-	Video				distribution.
	Receipt				Pursuant to Local Rule 7.5 if the required
	CI Report				documents are filed 10 days prior to the
	9202				hearings on the matter the status
<b>✓</b>	Order				hearing will come off calendar and no appearance will be required.
	Aff. Posting				Reviewed by: LV
	Status Rpt				Reviewed on: 07/02/2014
	UCCJEA				Updates:
	Citation				Recommendation:
	FTB Notice				File 14B – Coolidge
					14B

Del Castillo, Thomasito (for Bret Helgren – step-son/Petitioner)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 12/19/13	BRET HELGREN, step-son/named	NEEDS/PROBLEMS/COMMENTS:
	Executor without bond, is	
	Petitioner.	1. The Petition states that the
		decedent's spouse is deceased.
Cont. from	Full IAEA – <b>Need Publication</b>	Need name and date of death of deceased spouse (should be
Aff.Sub.Wit. s/p	Will dated 04/12/10	listed in item 8) (Local Rule
✓ Verified	Will dated 04/13/12	7.1.1D).
Inventory	Residence: Fresno	
PTC	Publication: <b>NEED</b>	
Not.Cred.		
✓ Notice of	Estimated Value of the Estate	
Hrg	Real property - \$359,000.00	
✓ Aff.Mail w/		
✓ Aff.Pub.	Probate Referee: <b>STEVEN DIEBERT</b>	
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
✓ Letters		
✓ Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting	1	Reviewed by: JF
Status Rpt		<b>Reviewed on:</b> 07/03/14
UCCJEA		Updates: 07/08/14
Citation	4	Recommendation:
FTB Notice		File 15 - Chadwick

Quistiano, Gina (Pro Per- Executor)

Probate Status Hearing Re: Failure to File the Inventory and Appraisal and Failure to File a First Account or Petition for Final Distribution

DO	D: 08/10/2002	GINA QUISTIANO, daughter, was appointed	NEEDS/PROBLEMS/COMMENTS:
		Executrix with full IAEA without bond on	
		09/02/2003.	OFF CALENDAR. Order Settling
		Letters issued on 09/03/2003.	Final Report of Successor
	nt. from 011014,	2011013 133000 011 077 007 2000.	Administrator of Insolvent Estate
041	014	Inventory and Appraisal was due 01/2004.	signed 06/18/2014.
	Aff.Sub.Wit.		
	Verified	First Account or Petition for Final Distribution	Minute Order of 01/10/2014: Mr. Zavala is
	Inventory	was due 11/2004.	appearing via CourtCall. Counsel
	PTC	Former Status Report filed on 01/02/2014	informs the Court that he has made contact with Gina Quistiano.
	Not.Cred.	states: Counsel received the Court's Notice	COLLICE WILL GILLA QUBITATIO.
	Notice of	re Case Management Conference.	Need Inventory and Appraisal
	Hrg	Counsel has made efforts to contact	and First Account or Petition for
	Aff.Mail	Executrix, Gina Zavala, via telephone and	Final Distribution.
	Aff.Pub.	email messages, without success.	
	Sp.Ntc.	Counsel herein requests that the matter be	
	Pers.Serv.	continued for at least 45 days for counsel to	
	Conf.	file a Motion to Withdraw as Counsel of	
	Screen	Record, due to the Representative's failure	
	Letters	to make contact with counsel.	
	Duties/Supp	A	
	Objections	As a result of the Executrix's failure to make contact with Counsel, Counsel is unable to	
	Video	file the next set of documents to bring the	
	Receipt	matter to a close.	
	CI Report		
	9202		
	Order		
	Aff. Posting		Reviewed by: L∨
	Status Rpt	_	<b>Reviewed on:</b> 07/02/2014
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 16 – Quistiano

17 Lillian Salwasser (Estate)

Case No. 07CEPR00104

Atty Matthai, Edith (for Craig A. Houghton – Objector)

Atty Manock, Charles K. (for George Salwasser/Executor of the Estate of Lillian Salwasser)
Atty Chielpegian, Michael S (for Marvin Salwasser/Administraor with Will Annexed of Walter Salwasser Respondent)

Atty Wright, Janet L. (for George Salwasser/Executor)

Atty Farley, Michael L. (of Visalia, for Gary E. Salwasser - Beneficiary)
Status Hearing

-	sialus nealing	
	George Salwasser is Executor.	NEEDS/PROBLEMS/COMMENTS:
	An Amended and Restated First Account was filed on 1-13-10 and has been continued with	OFF CALENDAR
0 1 5 0/0710	reference to additional ongoing matters in this	Petition to Close and Distribute
Cont. from 060713, 080913, 100413,	and other related cases.	Estate on Approval of Partial Account and to Approve
011014, 041014, 050814, 062314	This status hearing was set on 4-26-13.	Payment of Attorney's Statutory and Extraordinary Fees filed
Aff.Sub.Wit.	1	7-8-14 is set for hearing on 8-19-14.
Verified	Status report filed 6-6-13 by Attorney Janet Wright states counsel met and conferred on 5-	0 17 14.
Inventory	16-13 with attorneys Craig Houghton and Mark	
PTC	Poochigian of Baker Manock & Jensen, who	
Not.Cred.	represented the Executor in his initial	
Notice of	appointment through December 2008, and in	
Hrg	various extraordinary matters, and with  Executor, to review the proposed Petition for	
Aff.Mail	Final Distribution on Waiver of Account.	
Aff.Pub.		
Sp.Ntc.	It was determined that in order to close the	
Pers.Serv.	estate pursuant to the Memorandum of	
Conf.	Settlement Agreement entered into by beneficiaries Gary Salwasser and George	
Screen	Salwasser after mediation, certain matters	
Letters	would need to be addressed:	
Duties/Supp	╡	
Objections	1. Amendment to estate tax return	
Video	Inventory and Appraisal for promissory notes (preliminary payment history	
Receipt   CI Report	attached)	
9202	<u>-</u>	
Order	Once the amendment to the estate tax return	
Aff. Posting	is completed, it should be possible to create a formula taking into account the allocation of	Reviewed by: skc
Status Rpt	fees and costs pursuant to the agreement and	Reviewed on: 7-2-14
UCCJEA	any credits due beneficiaries which would	Updates: 7-8-14
Citation	allow the petition to be filed and estate to be	Recommendation:
FTB Notice	closed.	File 17 – Salwasser
	Counsel is developing a draft formula and will meet and confirm with counsel for Gary Salwasser as well as Baker Manock & Jensen. If a formula cannot be agreed upon, the Petition will be filed specifying the areas of dispute.	

# 18 Theresa Gutierrez Martin (Estate)

Atty

Case No. 13CEPR00054

Atty McCloskey, Daniel T. (for Joseph W. Martin – Administrator – Petitioner)

Casheros, Jerry D. (for Mary J. Quin – Respondent)

Petition to Determine Title and Request Transfer of Personal Property to the Estate and Assess Statutory Damages Thereto Against Mary J. Quin

_			and Assess stationary Damages Thereto Against Mary J. Quin	_
			NEEDS/PROBLEMS/COMMENTS:	
			OFF CALENDAR	
			OFF CALENDAR	
			Petition dismissed per Minute Order	
			4-10-14	
	Aff.Sub.Wit.			
>	Verified		Petition for Final Distribution filed	
	Inventory		6-19-14 is set for hearing on 7-28-14	
	PTC			
	Not.Cred.			
>	Notice of			
	Hrg			
<b>&gt;</b>	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
>	Pers.Serv.			
	Conf.			
	Screen			
	Letters			
	Duties/Supp			
	Objections	Χ		
	Video			
	Receipt			
	CI Report			
	9202			
~	Order			
	Aff. Posting		Reviewed by: skc	
	Status Rpt		Reviewed on: 7-2-14	┛
	UCCJEA		Updates:	_
	Citation		Recommendation:	4
	FTB Notice		File 18 – Martin	

18

19

Kruthers, Heather H., of County Counsel's Office (for Public Administrator, Successor Trustee) **Status Hearing** 

DOD: 2/10/2010	IOUN D DANTAK ID and conved on	NICEDS (DDODLEAG) (COMMENTS.
DOD: 3/12/2010	JOHN R. PANZAK, JR., son, served as Trustee of the JOHN ROBERT PANZAK	NEEDS/PROBLEMS/COMMENTS:
	LIVING TRUST dated 11/27/2000 since the Decedent's death in March 2010.	Continued from 6/4/2014. Minute Order states Mr. Panzak is appearing specially for Attorney Randy Risner. Mr. Panzak
Cont. from 070813, 080513, 100713, 110613, 010814, 022014, 040314, 050514, 060414	Beneficiaries of the Decedent's Will are John R. Panzak, Jr., Gordon Panzak, and the JOHN ROBERT PANZAK LIVING TRUST; beneficiaries of the JOHN ROBERT PANZAK LIVING	advised the Court that it is his understanding that Ms. Kruthers is requesting a continuance. Matter continued to 7/9/2014.
Aff.Sub.Wit.	TRUST are John R. Panzak, Jr., and	Notes Re Related Estate of John R.
Verified	Gordon Panzak.	Panzak, Sr., Case #10CEPR00505:
Inventory	=	The Panzak, Sr. Estate is a related
<del></del>	Petition for Appointment of Successor	matter in which the <b>PUBLIC</b>
PTC	Trustee was filed 3/11/2013 by	ADMINISTRATOR was appointed Administrator of the Estate by
Not.Cred.	SHARON PANZAK, spouse, stating the	Minute Order dated 4/29/2013.
Notice of	Successor Trustee, JOHN R. PANZAK,	<ul> <li>Order Settling First and Final</li> </ul>
Hrg	JR., died on 2/15/2013, and requesting	Account and Report of Deceased
Aff.Mail	she be appointed successor trustee.	Personal Representative was filed on
Aff.Pub.	Objections to and Opposition to	3/13/2014 in the Panzak, Sr. Estate,
Sp.Ntc.	Sharon Panzak's Petition for	representing the final account of
Pers.Serv.	Appointment of Successor Trustee was	the deceased personal
Conf.	filed 4/24/2013 by GORDON PANZAK,	representative, <b>JOHN R. PANZAK, JR.</b>
Screen	claiming the position of successor	(DOD 2/15/2013.)
Letters	trustee vested in him no later than	Panzak, Sr. Estate is currently  panding clasure by the PUBLIC
Duties/Supp	3/18/2013 as the second named	pending closure by the <b>PUBLIC ADMINISTRATOR</b> .
Objections	successor trustee of the Trust.	ADMINISTRATOR.
Video	Minute Order dated 4/29/2013 from	
Receipt	the hearing on Sharon Panzak's	
CI Report	petition for appointment of successor	
9202	trustee states: "The petition is denied	
Order	as to Sharon Panzak and the Court	
Aff. Posting	appoints the PUBLIC ADMINISTRATOR	Reviewed by: LEG
Status Rpt	as successor trustee. Order Appointing	Reviewed on: 7/7/14
UCCJEA	Public Administrator as Successor	Updates:
Citation	Trustee was filed 5/22/2013.	Recommendation:
FTB Notice	Minute Orders dated 7/8/2013,	File 19 – Panzak
	8/5/2013, 10/7/2013, 11/6/2013,	
	1/8/2014, 2/20/2014 and 4/3/2014	
	state only continuation dates of the	
	Status Hearing, ending with the	
	continuance to 5/5/2014.	
		10

Porter, Tres A. (for Theresa Herzberg – Maternal Aunt – Petitioner) Ceredi, Adolph J., III (Pro Per – Objector)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

**TEMP DENIED 5-22-14** NEEDS/PROBLEMS/ **COMMENTS:** THERESA HERZBERG, Aunt, is Petitioner. Note: Petitioner resides in Father: JACOB DUSAN Moorhead, Minnesota. - Served by mail on 6-2-14 Mother: **JENNIFER MATHIS** (Deceased) If this petition goes Aff.Sub.Wit. forward, the following Paternal Grandfather: Unknown issues exist: Verified Paternal Grandmother: Donna Dusan Inventory 1. The father was served Maternal Grandfather: Benjamin Mathis by mail: however. PTC Maternal Grandmother: Cheryl Ceredi (Deceased) Probate Code §1511 Not.Cred. Sibling: Gissele Jimenez requires personal Notice of - Personally served 5-16-14 service. The Court Hrg may require **Petitioner states** the mother committed suicide in continuance for Aff.Mail January 2014 and the maternal grandmother proper notice. Aff.Pub. committed suicide in April 2014. The father is Sp.Ntc. incarcerated. The minor is currently living with his 2. Need proof of service of Notice of Hearing uncle; however, this is not a safe or stable Pers.Serv. with a copy of the environment. The uncle already has three children, Conf. petition at least 15 including an infant, and does not have a home or Screen days prior to the vehicle large enough for four children. In addition, he Letters hearing or consent has a history of drug use and crime. See petition for and waiver of notice Duties/Supp details. or declaration of due **Objections** diligence on: Objection filed 5-21-14 by Adolph Ceredi, Uncle, - Unknown Paternal Video **states** he has an established relationship with Vincent. **Grandfather** Receipt Vincent does not know the Petitioner. Vincent has a - Donna Dusan connection with many family members in California **CI Report** (Paternal and a cross-country move would be an additional **V** Clearances Grandmother) loss for him. Mr. Ceredi is planning to move to a larger - Benjamin Máthis Order home in the summer so as not to disrupt the children's (Maternal school. Vincent sees a therapist and gets good Grandfather) arades. He is not left alone with relatives mentioned by the Petitioner. Vincent has Wraparound services Aff. Posting **Reviewed by:** skc that provide support to him and the family, and Mr. Reviewed on: 7-3-14 Status Rpt Ceredi is looking into additional services as well **UCCJEA Updates:** 7-8-14 (suicide support, etc.). Mr. Ceredi states he was in the Recommendation: Citation process of pursuing legal guardianship. File 20 – Dusan FTB Notice Objection filed 7-7-14 by Donna Dusan, Paternal Grandmother, states the petitioner lives out of California. He would be too far from his family here. Vincent has expressed that he does not know the petitioner and prefers to remain in California. Court Investigator Ding Calvillo filed a report on 7-1-14.

Ramos, Richard (pro per Executor)

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 12/9/12		RICHARD RAMOS was appointed	NEEDS/PROBLEMS/COMMENTS:
		Executor without bond and with full	
		IAEA authority on 1/23/14.	1. The corrected inventory and
			appraisal filed on 6/30/14 lists a
		Letters issued on 1/23/14.	Franklin Templeton Investment
Cont. from 062			Account and U.S. Savings Bonds
Aff.Sub.Wit	ł.	Inventory and appraisal filed on 3/14/14	on attachment 1 (personal
Verified		- incomplete.	representative appraised).
Inventory		Corrected Inventory and Appraisal filed	Investment accounts and savings bond must be listed on
PTC		on 6/30/14 shows the value of the	attachment 2 and appraised by
Not.Cred.		estate at \$137,148.93.	the probate referee.
Notice of			
Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf.			
Screen			
Letters			
Duties/Sup	р		
Objections	S		
Video			
Receipt			
CI Report			
9202			
Order			
Aff. Posting	3		Reviewed by: KT
Status Rpt			Reviewed on: 7/3/14/14
UCCJEA			Updates:
Citation			Recommendation:
FTB Notice			File 21 - Melgoza

22

Atty Rojas, Samuel (Pro Per – Maternal Grandfather – Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

			NO TEMP REQUESTED	NE	EEDS/PROBLEMS/COMMENTS:
			ANA LAURA and SAMUEL ROJAS, Maternal Grandparents, are Petitioners.		Need Notice of Hearing.  Need proof of personal service of
	Aff.Sub.Wit.		Father: <b>DEVONTE ROBINON</b> Mother: <b>CINDY ROJAS</b>		Notice of Hearing with a copy of the petition at least 15 days prior
<u> </u>	Verified Inventory		Paternal Grandfather: Unknown Paternal Grandmother: Unknown		to the hearing <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on:
	Not.Cred. Notice of		Petitioners state guardianship is		- Devonte Robinson (Father) - Cindy Rojas (Mother)
	Hrg Aff.Mail	×	necessary due to the mother constantly leaving the child with Petitioners for days at a time. The child currently lives	3.	Need proof of service of Notice of Hearing with a copy of the
	Aff.Pub.		with them.		petition at least 15 days prior to
	Sp.Ntc.		Court Investigator Julie Negrete filed a		the hearing <u>or</u> consent and
	Pers.Serv.	Х	report on 7-2-14.		waiver of notice <u>or</u> declaration of due diligence on:
*	Conf. Screen		•		- Unknown Paternal Grandfather - Unknown Paternal Grandmother
~	Letters				
>	Duties/Supp				
	Objections				
	Video Receipt				
<b>&gt;</b>	CI Report				
>	Clearances				
~	Order	<u> </u>			
	Aff. Posting				eviewed by: skc
	Status Rpt				eviewed on: 7-3-14
~	UCCJEA				odates:
	Citation				ecommendation:
	FTB Notice			L LII(	e 22 – Rojas

Bagdasarian, Gary G. (for Sharon Schrives – Daughter – Petitioner)

Petition for Appointment of Temporary Conservatorship of the Person and Estate

			GENERAL HEARING 7-28-14	NEEDS/PROBLEMS/COMMENTS:
	Aff.Sub.Wit.		SHARON SCHRIVES, non-relative (friend), is petitioner and requests appointment as Temporary Conservator of the Person and Estate with bond of \$40,000.00.	Court Investigator advised rights on 7-2-14.  1. Mr. Mardis has already been moved to the care
~	Verified		Petitioner requests authority to move the	facility in Visalia, which is in Tulare County, and is
	Inventory		proposed Conservatee from his residence into a	expected to remain there.
	PTC		care facility during the temporary conservatorship.	The Court may require clarification regarding
	Not.Cred.		Conservatorship.	Fresno as appropriate
~	Notice of		Estimated value of estate:	venue.
	Hrg		Personal property: \$ 16,040.00	2. Need clarification re the
~	Aff.Mail	W	Annual income: \$ 19,528.00	proposed conservatee's
	Aff.Pub.		Recovery: \$ 3,557.00 Total bond required: \$ 39,125.00	date of birth. File
	Sp.Ntc.		101a  bond required: \$ 37,123.00	documents contain
	Pers.Serv.	Χ	<b>Petitioner states</b> the proposed Conservatee is 81	conflicting dates.
~	Conf.		years old and suffers from severe dementia as	3. Need proof of <u>personal</u>
	Screen		well as other medical issues. Petitioner has been	service of Notice of Hearing
>	Letters		his caregiver for several years; however, it has	with a copy of the temp petition at least five court
>	Duties/Supp		now been determined that he needs additional care in a skilled nursing facility. Petitioner	days prior to the hearing on
	Objections		proposes to move the proposed Conservatee	the proposed Conservatee
	Video		from his residence in Coalinga, California into	Barber L. Mardis pursuant to Probate Code §2250(e).
	Receipt		Redwood Springs Health Care Center in Visalia,	Probale Code 92250(e).
	CI Report		California on a private pay basis as soon as	
	9202		possible. Consequently, in order to access the	
Ľ	Order		funds of the Conservatee, temporary conservatorship of the persona and estate are	Paviawad by asks
	Aff. Posting		necessary.	Reviewed by: skc Reviewed on: 7-3-14
<b>-</b>	Status Rpt UCCJEA		,	Updates: 7-8-14
<b> </b>	Citation		Court Investigator Jennifer Young filed a report	Recommendation:
	FTB Notice		on 7-3-14.	File 23 – Mardis
	TIDITORICE			
				23